

# JOURNAL OF THE SENATE

Thursday, April 23, 1970

The Senate was called to order by the President Pro Tempore at 8:30 a.m. for the purpose of conducting the order of business of Introduction and reference of Resolutions, Memorials, Bills and Joint Resolutions, pursuant to Rule 4.3.

## INTRODUCTION

By Senators Gunter, Plante and Horne—

**SB 799**—A bill to be entitled An act relating to universities; amending section 239.58, Florida Statutes, authorizing the board of regents to employ campus security personnel; providing for such officers to be commissioned as peace officers; providing an effective date.

Was read the first time by title and referred to the Committee on Education.

By Senators Weber and Saunders—

**SB 800**—A bill to be entitled An act relating to county government, amending section 2 of Chapter 69-234, Laws of Florida, Acts of 1969, relating to the manner in which powers of local self-government are exercised by the boards of county commissioners; and providing for an effective date.

Was read the first time by title and referred to the Committee on Governmental Organization.

By Senators Boyd and Horne—

**SB 801**—A bill to be entitled An act relating to lien foreclosures and suits to quiet title; amending section 69.041, Florida Statutes, by authorizing the naming of the state or any of its agencies as a party in a civil action to quiet title to real property in which the state has an interest; providing for naming the state as a party in the foreclosure of a mortgage or other lien in which the state has an interest; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary.

By Senator Friday—

**SB 802**—A bill to be entitled An act relating to franchises and distributorships; making certain acts unlawful when selling or establishing a franchise or distributorship, and providing a civil remedy for persons harmed through a violation of this act; authorizing injunctive relief; providing an effective date.

Was read the first time by title and referred to the Committees on Commerce and Licensed Businesses and Judiciary.

By Senator Henderson—

**SB 803**—A bill to be entitled An act relating to the excise tax on documents; amending section 201.02, Florida Statutes; providing that the tax on deeds and other instruments relating to lands shall be payable upon transactions involving the leasing of cooperative apartments to the tenant stockholder; providing an effective date.

Was read the first time by title and referred to the Committee on Ways and Means.

By Senators Poston, Beaufort and Stolzenburg—

**SB 804**—A bill to be entitled An act relating to wayside parks and access roads to public waters, amending subsection (3) of section 335.16, Florida Statutes, to provide that the department of transportation shall have the power to condemn such rights of way for wayside parks and rest areas on any limited access facility; providing an effective date.

Was read the first time by title and referred to the Committee on Transportation.

By Senators Poston, Beaufort and Bishop—

**SB 805**—A bill to be entitled An act relating to the department of transportation; amending section 337.32(3), Florida

Statutes; increasing the jurisdictional limit of the state road arbitration board; providing an effective date.

Was read the first time by title and referred to the Committee on Transportation.

By Senators Poston, Weber, Pope, Beaufort, Stolzenburg and Daniel—

**SB 806**—A bill to be entitled An act amending subsection (2) of section 20.23, Florida Statutes, to change the name of the division of mass transit operations to the division of public transportation and providing an effective date.

Was read the first time by title and referred to the Committees on Transportation and Governmental Organization.

By Senators Poston, Shevin, Fincher and Hollahan—

**SB 807**—A bill to be entitled An act relating to policemen and firemen generally as herein defined; specifically authorizing collective bargaining and collective bargaining agreements between policemen, firemen and their public employers; establishing the right to organize and bargain collectively; providing for the recognition of bargaining agents; providing for arbitration of disputes by an arbitration board; providing for appointment of arbitrators and payment of same; providing decisions of board shall be binding; defining collective bargaining contract; limits items to be bargained for; prohibiting the right to strike; repealing conflicting laws; providing effective date.

Was read the first time by title and referred to the Committees on Judiciary and Ways and Means.

By Senator Bell—

**SB 808**—A bill to be entitled An act relating to marriage; amending section 741.21, Florida Statutes, revising the wording of the present statute; amending chapter 741, Florida Statutes, by adding sections 741.25, 741.26, 741.27, 741.28, 741.29, 741.30, 741.31, 741.32, 741.33, 741.34, 741.35, and 741.36, providing that incestuous marriages, bigamous marriages, marriages in which one (1) partner is impotent, marriages in which one (1) partner is mentally incompetent, marriages in which the parties were intoxicated or under the influence of drugs at the time of such marriage, marriages made in jest or by a dare, marriages in which either party is under twenty-one (21) years of age, or marriages entered into in reliance on a fraudulent act or under duress may be annulled; providing statutes of limitations on annulments of certain marriages; providing that circuit courts shall have jurisdiction in annulments; providing for service of process; providing that children born to annulable marriages are deemed legitimate; providing that the circuit courts may decide the custody, support, alimony, property, fees, and costs in annulment actions; repealing subsections (1), (2), and (9) of section 61.041, Florida Statutes, relating to incest, impotency, and bigamy as grounds for divorce; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary.

By Senators Bafalis, Thomas, Lane, Henderson, Weber, Stolzenburg and Bell—

**SB 809**—A bill to be entitled An act relating to the department of transportation; requiring said department to expand United States Highway forty-one (U.S.41) from two (2) lanes to four (4) lanes, on that portion of said highway that extends from a point south of Venice to Naples in Charlotte, Sarasota, Lee, and Collier Counties; providing for inclusion of the cost of said project in the department's budget for fiscal year 1970-1971, as required in section 334.21, Florida Statutes; providing an effective date.

Was read the first time by title and referred to the Committees on Transportation and Ways and Means.

By Senator Thomas—

**SB 810**—A bill to be entitled An act relating to the powers and duties of public officers; amending section 116.111(1)(a),

Florida Statutes, relating to restrictions on employment of relatives; deleting institutions under the division of universities, district school boards and junior college districts as exceptions from the definition of "agency"; providing an effective date.

Was read the first time by title and referred to the Committee on Ethics.

By Senator Thomas—

**SB 811**—A bill to be entitled An act relating to governmental boards and agencies of state, county and municipal governments; prohibiting abstention from voting by members of such boards and agencies in matters requiring vote; providing an exception; providing an effective date.

Was read the first time by title and referred to the Committee on Ethics.

By Senator Thomas—

**SB 812**—A bill to be entitled An act relating to the employment of relatives by certain public officials; amending section 116.11, Florida Statutes, providing that any public official who violates section 116.111, Florida Statutes, shall be deemed guilty of misfeasance and malfeasance in office and shall be also deemed guilty of a misdemeanor; providing penalties; repealing section 116.10, Florida Statutes, relating to the prohibition of nepotism; providing an effective date.

Was read the first time by title and referred to the Committee on Ethics.

By Senator Stolzenburg—

**SB 813**—A bill to be entitled An act relating to ad valorem taxation; adding sections 194.021 and 194.191, Florida Statutes, providing for conditions when the clerk of the circuit court may act for the county assessor of taxes, and providing for the comptroller of the state to be made a party to any suit to cancel tax assessment or tax certificate; repealing chapter 69-140, laws of Florida, which presently provides for a board of adjustment to hear complaints relating to assessments and for the procedure for hearing complaints; providing for an effective date.

Was read the first time by title and referred to the Committee on Judiciary.

By Senator Thomas—

**SCR 814**—A concurrent resolution relating to the conservation of the water supply of the Everglades National Park; urging the purchase of certain lands in Monroe and Collier Counties to that end.

Was read the first time in full and referred to the Committee on Natural Resources and Conservation.

By Senators Weissenborn, Bishop and Trask—

**SB 815**—A bill to be entitled An act relating to daylight saving time; exempting the state and its political subdivisions from the operation of 15 U.S.C.A. § 260a, which establishes a uniform time for an advance to daylight saving time; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary.

By Senators Weissenborn, Bishop and Trask—

**SB 816**—A bill to be entitled An act providing for a referendum to be submitted to the electorate of Florida at the next general election on the question of whether Florida shall exempt itself from the daylight savings time provision of section 3(a) of public law 89-387, as enacted by the 89th Congress of the United States; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary.

By Senator Weissenborn—

**SB 817**—A bill to be entitled An act relating to the board of trustees of the internal improvement trust fund; amending section 253.122, Florida Statutes, to provide for location of

bulkhead lines at the line of mean high water in areas where the same has been established; providing criteria regarding relocation of such bulkhead lines; providing an exception; providing an effective date.

Was read the first time by title and referred to the Committees on Natural Resources and Conservation and Judiciary.

By Senator Weissenborn—

**SB 818**—A bill to be entitled An act relating to migrant labor camps; amending chapter 381, Florida Statutes, by adding section 381.483; providing standards for migrant labor camp living quarters; providing an effective date.

Was read the first time by title and referred to the Committee on Health, Welfare, and Institutions.

By Senators Weissenborn, Poston, Hollahan, Stone, Haverfield, Shevin and Myers—

**SB 819**—A bill to be entitled An act relating to civil courts of record, in any county of the state having a population of not less than four hundred thousand (400,000), according to the latest official decennial census; amending section 2 of chapter 65-2422, Laws of Florida; raising the jurisdictional amount from one hundred dollars (\$100) to seven hundred and fifty dollars (\$750); providing an effective date.

Was read the first time by title and referred to the Committees on Rules and Calendar and Judiciary.

By Senator Weissenborn—

**SB 820**—A bill to be entitled An act relating to procedure in traffic violation cases; prescribing scope, purpose, construction, and definitions; providing rules governing procedure and conduct of cases in traffic court; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary.

By Senator Weissenborn—

**SB 821**—A bill to be entitled An act relating to Florida Sunshine State Parkway; amending sections 340.03(1), 340.031, 340.06(8), and 340.12, Florida Statutes, to require the expressed consent of the Dade County commission for all extensions of the parkway through or in Dade County; providing that in no case shall the toll for any given mile be greater or less than that amount charged for any other given mile; providing that the leasing of food service rights shall be governed by the same rules as the fuel services are now under; providing an effective date.

Was read the first time by title and referred to the Committees on Transportation and Governmental Organization.

By Senator Beaufort—

**SB 822**—A bill to be entitled An act relating to the school code; amending section 230.33(7)(f), Florida Statutes, authorizing district school superintendents to make appointments to approved positions and to approve compensation therefor at the rate provided in the salary schedules currently established pending action by the local school board at its next meeting; providing an effective date.

Was read the first time by title and referred to the Committee on Education.

By Senators Myers and Saylor—

**SB 823**—A bill to be entitled An act relating to the department of insurance; amending sections 175.121 and 185.10, Florida Statutes, to eliminate special assessment collection; amending sections 527.02, 527.13(2), and 527.15(7), Florida Statutes, to eliminate the liquified petroleum gas administrative trust fund and deposit funds in general revenue fund; amending sections 552.091(3), 552.141(6), 552.161(2), 552.181(7), 552.191(3), 552.26, 624.0314, 624.0317, 633.061(6), 633.101(4), Florida Statutes, and repealing section 624.0315 and subsection (3) of section 552.21, Florida Statutes, to eliminate the state fire marshal's trust fund and deposit funds in general revenue fund; amending sections 624.0309(2), 624.0316(2), 624.0319, Florida Statutes, and repealing section

624.0320, Florida Statutes, to eliminate the insurance commissioner's clearing account and deposit funds in the general revenue fund; amending section 624.0113, Florida Statutes, to eliminate publications trust fund and deposit funds in general revenue fund; amending section 624.0119(2) and (3), Florida Statutes, to eliminate insurance examination revolving trust fund and deposit funds in general revenue fund; amending section 624.0324, Florida Statutes, to eliminate insurance commissioner's regulatory trust fund and require all funds received unless otherwise authorized be deposited in general revenue fund; amending sections 324.071, 624.0125(7), 624.0203(6), 624.0228(7), 624.03001, 626.322, 626.0529(2) and (5), 626.0535(3), (4), and (7), 627.221(3), 627.0852(10), 632.371(3), 632.391, 632.441(1), 634.221, 635.051(3), 638.231, 903.39(6), 903.43(3), 903.45(2), 903.46(4), and 903.541(7), Florida Statutes, to eliminate insurance commissioner's regulatory trust fund and deposit funds in general revenue fund; providing transfer of unencumbered funds; providing effective date.

Was read the first time by title and referred to the Committees on Insurance and Ways and Means.

By Senators Myers and Sayler—

**SB 824**—A bill to be entitled An act relating to the department of agriculture and consumer services; amending section 379.04, Florida Statutes, to remove required appropriation to Everglades fire control district trust fund; amending sections 487.041(2), 487.111(2), 500.23, 500.351, 502.171, 503.032, 525.10, 526.51(2), 531.33, 576.041(1), 580.061(2), 578.22, 581.212, 583.06, 583.07, 583.18(4)(b), 585.65, 604.29, and the introductory paragraph of section 616.15, Florida Statutes, to remove specific trust funds and deposit funds in general revenue fund; amending section 616.21(4), Florida Statutes, to remove payment of salaries and expenses from agriculture and livestock fair account; amending section 570.20, Florida Statutes, abolishing the general inspection trust fund and creating the grants and donations trust fund; amending sections 580.131(6), 576.061(3)(d) and (f), Florida Statutes, to deposit funds in department of agriculture and consumer services penalties trust fund; amending chapter 570, Florida Statutes, by adding sections 570.201 to create marketing and promotion trust fund and 570.202 requiring deposit in general revenue fund of all fees not otherwise allocated collected by department of agriculture and consumer services; amending sections 571.04(1), 574.05, and 603.13, Florida Statutes, depositing funds in the marketing and promotion trust fund; repealing section 525.11, Florida Statutes, relating to payment of gasoline and oil inspection expenses; depositing certain unencumbered funds in general revenue fund; providing an effective date.

Was read the first time by title and referred to the Committees on Agriculture and Ways and Means.

By Senators Sayler and Myers—

**SB 825**—A bill to be entitled An act relating to the department of banking and finance; amending sections 494.04(5), 520.03(3), 520.05(1), 520.32(2), 520.52(2), 520.55(1), 657.06(3)(b) and 658.08(2), Florida Statutes; changing allocation of fees to comptroller for specified purposes to deposit of fees in the general revenue fund; providing an effective date.

Was read the first time by title and referred to the Committee on Ways and Means.

By Senators Myers and Sayler—

**SB 826**—A bill to be entitled An act relating to the department of state; amending section 120.061, Florida Statutes, abolishing the revolving trust fund; providing for the deposit of revenue in the general revenue fund; providing an effective date.

Was read the first time by title and referred to the Committee on Ways and Means.

By Senators Myers and Sayler—

**SB 827**—A bill to be entitled An act relating to sea island cotton law; repealing sections 579.01, 579.02, 579.03, 579.04, 579.05, 579.06, 579.07, 579.08, 579.09, 579.10, and 579.11, Florida Statutes, to abolish sea island cotton production districts; providing an effective date.

Was read the first time by title and referred to the Committee on Agriculture.

By Senators Myers, Sayler, Gunter and Beaufort—

**SB 828**—A bill to be entitled An act relating to the department of business regulation; amending sections 399.11(3), 478.101, 478.111, and 537.07(3), Florida Statutes; providing for deposit of special fees in general revenue fund; providing for expenses incurred in administration of land sales laws to be paid from appropriated funds; repealing paragraph (e) of subsection (1) of section 537.02, Florida Statutes, relating to yacht and ship brokers' fund; depositing unencumbered funds in general revenue fund; providing an effective date.

Was read the first time by title and referred to the Committee on Ways and Means.

By Senators Scarborough, Beaufort, Pope, Mathews and Slade—

**SB 829**—A bill to be entitled An act amending articles 7 and 19 of chapter 67-1320, Laws of Florida, as amended by chapter 69-1171, Laws of Florida, being the consolidated government charter of the City of Jacksonville, Florida, providing for a personnel department of the City of Jacksonville, prescribing its functions and limiting changes therein except creation of divisions thereof; eliminating the personnel division of said city and providing for the transfer of employees therein to the personnel department of the city; requiring the personnel department to prepare a job classification plan and a uniform job pay classification plan for submission to the civil service board and placing upon the civil service board the responsibility for developing and fostering the personnel policy of the consolidated government and certain independent agencies; empowering the civil service board to issue orders to correct action taken contrary to the civil service regulations; repealing section 7.304 of said article 7 and all laws and ordinances in conflict herewith; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 829.

Was read the first time by title and referred to the Committee on Rules and Calendar.

By Senators Scarborough, Pope, Beaufort, Mathews and Slade—

**SB 830**—A bill to be entitled An act amending section 14, chapter 63-1447, Laws of Florida, Special Acts of 1963, as amended, relating to the Jacksonville Port Authority, eliminating reference to the Budget Commission Act, chapter 61-1628, Laws of Florida, and requiring the Authority to cause annual audits to be made of its operation by a certified public accountant who resides in Duval County in such detail as may be necessary to show the financial operation and status of the Authority.

Evidence of notice and publication was established by the Senate as to SB 830.

Was read the first time by title and referred to the Committee on Rules and Calendar.

By Senators Scarborough, Beaufort, Pope, Mathews and Slade—

**SB 831**—A bill to be entitled An act relating to chapter 17981, Laws of Florida, 1937; establishing an advisory board of the department of housing and urban development; transferring the powers and duties of the housing authority of Jacksonville to the Jacksonville Department of Housing and Urban Development; providing certain employee protections; providing for the assumption of all obligations of the authority by the City of Jacksonville; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 831.

Was read the first time by title and referred to the Committee on Rules and Calendar.

By Senators Henderson, Mathews and Reuter—

**SCR 832**—A concurrent resolution commending the youth of our country and state instrumental in organizing, promoting and supporting "Earth Day," April 22, 1970.

Was read the first time in full and placed on the Calendar.

By Senator Bishop—

**SJR 833**—A joint resolution proposing an amendment to subsection (a) of section 7 of Article V of the State Constitution as proposed to be revised by Senate Joint Resolution No. 36, passed by the 1969 regular session of the legislature; exempting the third judicial circuit as constituted immediately prior to the adoption of the revised Article V of the State Constitution from the requirement that judicial circuits shall contain at least one hundred thousand (100,000) inhabitants.

Was read the first time by title and referred to the Committee on Constitutional Amendments and Revision.

By Senator Johnson—

**SB 834**—A bill to be entitled An act relating to the state department of education or its successor; authorizing the establishment of a merit pay system for school instructional personnel; providing an effective date.

Was read the first time by title and referred to the Committee on Education.

By Senator Johnson—

**SB 835**—A bill to be entitled An act relating to education, textbooks; amending section 233.09(1), Florida Statutes, directing the commissioner of education to call meetings of the state textbooks committees at certain times; providing an effective date.

Was read the first time by title and referred to the Committee on Education.

By Senator Johnson—

**SB 836**—A bill to be entitled An act relating to sick and emergency leave for school teachers; amending section 231.40(1)(b), Florida Statutes, providing for mandatory leave for school teachers for religious holidays and emergencies; providing an effective date.

Was read the first time by title and referred to the Committee on Education.

By Senator Johnson—

**SB 837**—A bill to be entitled An act relating to postaudits of district school systems; amending subsection (4) of section 11.186, Florida Statutes, as amended and renumbered section 11.45, Florida Statutes, by section 6 of chapter 69-82, Laws of Florida, providing that the auditor general shall make postaudits within ninety (90) days following the end of each fiscal year of each school system; amending section 230.23, Florida Statutes, by adding subsection (19), providing that district school boards shall employ auditors under certain conditions; providing an effective date.

Was read the first time by title and referred to the Committee on Education.

By Senator Johnson—

**SB 838**—A bill to be entitled An act relating to the state plan for public education; amending section 228.16(4), Florida Statutes, to provide that state financial support shall be extended only to technical or vocational programs that have as an objective the preparation of students for gainful employment; providing an effective date.

Was read the first time by title and referred to the Committee on Education.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 22, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Ward—

**HB 443**—A bill to be entitled An act relating to the public defender; amending section 27.52, Florida Statutes, by adding a new subsection (2) to provide evidentiary rules to be used in proceedings for the determination of insolvency; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
*ALLEN MORRIS*  
*Clerk, House of Representatives*

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 22, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representatives Earle and Bassett—

**HB 468**—A bill to be entitled An act relating to court administration; amending section 43.17, Florida Statutes, relating to money paid into custody of courts; providing that such funds shall be deposited at the highest available interest rate; providing for liquidity of funds; providing for return of net interest proceeds to the general fund of the county.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
*ALLEN MORRIS*  
*Clerk, House of Representatives*

House Bills 443 and 468, contained in the above messages, were read the first time by title and referred to the Committee on Judiciary.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 22, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Murphy—

**HB 470**—A bill to be entitled An act relating to the retirement system for school teachers; amending section 238.01(4), Florida Statutes, to exclude employees of certain nonprofit professional associations hired after July 1, 1969, from the definition "Teacher"; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
*ALLEN MORRIS*  
*Clerk, House of Representatives*

**HB 470**, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 22, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Gallen—

**HB 643**—A bill to be entitled An act relating to guardianship law; amending section 745.15 (1), Florida Statutes, to include Homestead property; repealing section 745.15 (6), Florida Statutes, providing that the section relating to joinder on behalf of an incompetent husband or wife shall not be construed to apply to homesteads; amending section 744.315, Florida Statutes; providing for change or discharge of guardians

which are appointed upon voluntary petition of certain persons; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 643, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 22, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Alvarez—

**HB 642**—A bill to be entitled An act amending section 323.05, Florida Statutes, by adding a new subsection 323.05(7) relating to regulation of transportation of eggs and poultry; providing an effective date.

By Representative Nergard—

**HB 504**—A bill to be entitled An act relating to elections; amending section 99.061, Florida Statutes, by adding subsection (5) requiring the secretary of state and the clerks of the circuit courts to notify candidates of errors in qualifying papers and fees; allowing candidates time to correct errors; providing for possible disqualification of candidates; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 642, contained in the above message, was read the first time by title and referred to the Committee on Transportation.

HB 504, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 22, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative E. L. Martinez—

**HB 1968**—A bill to be entitled An act relating to power of attorney; providing that acts of agents pursuant to power of attorney shall be valid after the principal is declared in a missing status as defined in section 551 of title 37, or section 5561 of title 5, United States Code; providing an effective date.

By Representative Reedy—

**HB 602**—A bill to be entitled An act relating to school buses; amending section 317.692, Florida Statutes; limiting the number of pupils to be carried on school buses; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 1968, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

HB 602, contained in the above message, was read the first time by title and referred to the Committee on Transportation.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 22, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Matthews—

**HB 1342**—A bill to be entitled An act relating to insurance rates and rating organizations; amending section 627.331, Florida Statutes, by adding subsection (4) requiring rating information to be furnished insurance commissioner and available to the public; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 1342, contained in the above message, was read the first time by title and referred to the Committee on Insurance.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 22, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representatives Middlemas and Randell—

**HB 1140**—A bill to be entitled An act relating to the trustees of the internal improvement trust fund; amending subsection 253.122(4), F. S., by increasing to 90 days the period after filing with local authority to fix a bulkhead line or lines before filing is permitted with the trustees; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 1140, contained in the above message, was read the first time by title and referred to the Committee on Natural Resources and Conservation.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 22, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representatives Middlemas and Fulford—

**HB 1142**—A bill to be entitled An act relating to the trustees of the internal improvement trust fund; amending paragraph 253.123(3)(a), F. S., to delete the authority of the trustees to waive certain biological or ecological studies; providing an effective date.

By Representative Pratt—

**HB 388**—A bill to be entitled An act relating to workmen's compensation; amending section 440.52, Florida Statutes, subjecting an insurance carrier to suspension or revocation of its authorization to write workmen's compensation insurance for repeatedly failing to comply with its obligations under chapter 440, Florida Statutes; providing for notice and hearing; providing an effective date.

By Representative David Clark and others—

**HB 886**—A bill to be entitled An act relating to flag instruction in public schools; amending section 233.061, Florida Statutes, to provide that proper flag instruction includes the

flag salute at the opening of each school day; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 1142, contained in the above message, was read the first time by title and referred to the Committee on Natural Resources and Conservation.

HB 388, contained in the above message, was read the first time by title and referred to the Committee on Insurance.

HB 886, contained in the above message, was read the first time by title and referred to the Committee on Education.

*The Honorable John E. Mathews, Jr.* April 22, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has adopted—

By Representative Craig and others—

**HCR 4158**—A concurrent resolution urging the House of Representatives designate April 22, 1970 as Earth Day.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HCR 4158, contained in the above message, was read the first time in full and placed on the Calendar.

*The Honorable John E. Mathews, Jr.* April 22, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Prominski—

**HB 511**—A bill to be entitled An act relating to divorce; amending section 61.041, Florida Statutes, by adding subsection (10); providing as an additional ground for divorce that the parties have lived continuously apart for five (5) years; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 511, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

*The Honorable John E. Mathews, Jr.* April 22, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative J. R. Clark—

**HB 507**—A bill to be entitled An act relating to district school system; amending section 230.23(11)(d), Florida Statutes, to conform terminology and cross references to the 1968 revision of the State Constitution; providing that no additional tax areas may be created under the authority of this paragraph subsequent to July 1, 1970.

By Representative Hector—

**HB 727**—A bill to be entitled An act relating to uniform commercial code-bulk transfers; repealing sections 676.6-106, 676-107(2) (e), 676.6-108(3) (c) and 676.6-109(2), Florida

Statutes, which provides for application of the proceeds; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 507, contained in the above message, was read the first time by title and referred to the Committee on Education.

HB 727, contained in the above message, was read the first time by title and referred to the Committee on Commerce and Licensed Businesses.

*The Honorable John E. Mathews, Jr.* April 22, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Reeves and others—

**HB 1334**—A bill to be entitled An act relating to pugilistic exhibitions; amending section 548.03, Florida Statutes, to add the Knights of Columbus to the list of organizations which may hold boxing exhibitions; providing an effective date.

By Representative Smith—

**HB 785**—A bill to be entitled An act relating to public education, amending section 230.321, Florida Statutes; authorizing school boards to fix salaries of appointive superintendents; removing minimum and maximum salary requirement; providing an effective date.

By the Committee on Conservation—

**HB 1271**—A bill to be entitled An act relating to conservation; saltwater fishing; amending section 370.11(2), Florida Statutes, to lower the length of pompano that may be possessed from ten inches (10") to nine and one-half inches (9½"); providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

HB 1334, contained in the above message, was read the first time by title and referred to the Committee on Commerce and Licensed Businesses.

HB 785, contained in the above message, was read the first time by title and referred to the Committee on Education.

HB 1271, contained in the above message, was read the first time by title and referred to the Committee on Natural Resources and Conservation.

*The Honorable John E. Mathews, Jr.* April 22, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Brantley—

**HB 37**—A bill to be entitled An act relating to contractors; authorizing boards of county commissioners to establish contractors examining boards in their counties; providing that the boards of county commissioners may establish classifications, exemptions, and fees; exempting certain municipalities; providing an effective date.

By Representative Gautier—

**HB 259**—A bill to be entitled An act relating to restricted licenses; amending subsection 322.12(1), Florida Statutes, exempting holders of restricted licenses from paying an additional fee for taking their first driving test when having the restrictions lifted; providing an effective date.

By Representative King—

**HB 346**—A bill to be entitled An act relating to continuance of certain causes in which a legislator is to appear as a party, witness or as an attorney or in a representative capacity; amending section 11.111, Florida Statutes, to provide that by giving notice, a legislator shall be granted a continuance in any proceeding before courts, municipalities or agencies during periods of committee work required of legislators and travel time before and after; providing an effective date.

By Representative Gautier—

**HB 619**—A bill to be entitled An act relating to drug abuse; adding subsection 404.01(12), Florida Statutes, to provide that the drugs controlled by the drug abuse laws of the United States, now or in the future, shall also be added to and controlled by this chapter; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

**HB 37**, contained in the above message, was read the first time by title and referred to the Committee on Commerce and Licensed Businesses.

**HB 259**, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

House Bills 346 and 619, contained in the above message, were read the first time by title and referred to the Committee on Judiciary.

*The Honorable John E. Mathews, Jr.*  
*President of the Senate*

April 22, 1970

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representatives Gautier and Gustafson—

**HB 730**—A bill to be entitled An act relating to perjury; amending chapter 837, Florida Statutes; by adding sections 837.05, 837.06, and 837.07 thereto; providing that an indictment or information for perjury and kindred offenses need not set forth any part of the record or proceeding with which the oath was connected or any of the details relating to the oath or affirmation; providing that any information or indictment for perjury nor proof at trial need show which of two inconsistent statements is false; establishing the voluntary retraction of a false statement prior to its substantially affecting the proceedings as an affirmative defense; repealing section 906.16, Florida Statutes; providing an effective date.

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

**HB 730**, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

The Senate recessed at 8:46 a.m.

The Senate was called to order by the President at 9:00 a.m. A quorum present—45:

Mr. President	Deeb	Karl	Shevin
Askew	de la Parte	Knopke	Stolzenburg
Bafalis	Ducker	Lane	Stone
Barron	Fincher	Myers	Thomas
Barrow	Friday	Ott	Trask
Beaufort	Gong	Plante	Weber
Bell	Gunter	Pope	Weissenborn
Bishop	Haverfield	Poston	Williams
Boyd	Henderson	Reuter	Wilson
Broxson	Hollahan	Saunders	
Chiles	Horne	Saylor	
Daniel	Johnson	Scarborough	

Excused: Senator Slade until 11:00 a.m., Senator Young.

Prayer by Frank M. Mason, Pastor, Southside United Methodist Church, Tallahassee:

Most gracious God, we humbly beseech thee that thou wouldst direct and prosper all the consultations of this legislative body, to the advancement of thy glory, the good of thy kingdom, the safety, honor, and welfare of thy people. Enable, we pray thee, each one present this day to do their best, according to the dictates of their conscience. We pray that all things may be so ordered and settled by these endeavors that peace, happiness, truth, and justice may be more firmly established among us. This we ask in the name of our Lord and Savior Jesus Christ. Amen.

The Journals of April 21 and 22 were corrected and approved.

On motion by Senator Friday, the rules were waived and the Senate proceeded to—

## RESOLUTIONS ON SECOND READING

Senator Horne presiding.

**SR 630**—A Resolution In Memoriam Harry James Kicliter.

Was taken up and read the second time in full. On motion by Senator Pope, SR 630 was adopted. The vote was: Yeas—41 Nays—None

Mr. President	Deeb	Knopke	Stolzenburg
Askew	de la Parte	Lane	Stone
Bafalis	Ducker	Myers	Thomas
Barrow	Fincher	Ott	Trask
Beaufort	Friday	Plante	Weber
Bell	Gunter	Pope	Weissenborn
Bishop	Henderson	Poston	Williams
Boyd	Hollahan	Reuter	Wilson
Broxson	Horne	Saunders	
Chiles	Johnson	Scarborough	
Daniel	Karl	Shevin	

**SCR 791**—A Concurrent Resolution in Memoriam James Turner Butler.

Was taken up and read the second time in full. On motion by Senator Mathews, SCR 791 was adopted and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Ducker	Knopke	Shevin
Askew	Friday	Lane	Stolzenburg
Bafalis	Gong	Myers	Stone
Beaufort	Gunter	Ott	Thomas
Bell	Haverfield	Plante	Trask
Boyd	Henderson	Pope	Weber
Broxson	Hollahan	Poston	Weissenborn
Chiles	Horne	Reuter	Williams
Deeb	Johnson	Saunders	Wilson
de la Parte	Karl	Scarborough	

The President presiding.

**SCR 794**—A concurrent resolution expressing appreciation for the life and contributions of Louis Swed and deep regret over his death.

WHEREAS, the late Louis Swed was a Russian immigrant who came to the United States in 1902 to earn his living, moved to Tampa in 1945 and eventually became one of the largest beer distributors in the world, and

WHEREAS, he was the prime motivating factor in bringing Anheuser-Busch to Florida, first with an investment of \$20,000,000 in the Tampa Plant and ultimately with capital expenditures of some \$85,000,000 which includes Busch Gardens and the Jacksonville Brewery, and

WHEREAS, aside from being a successful businessman, Mr. Swed was a true humanitarian and philanthropist. Most of his activities in the field were unpublicized and will remain so for that was his way. Hundreds of unnamed individuals and organizations were favorably affected by his natural generosity. Among his charities which became publicized, although not with his prior approval, there are the MacDonald Training



By Senators Pope, Mathews, Askew, Bafalis, Barron, Barrow, Beaufort, Bell, Bishop, Boyd, Broxson, Chiles, Daniel, Deeb, de la Parte, Ducker, Fincher, Friday, Gong, Gunter, Haverfield, Henderson, Hollahan, Horne, Johnson, Karl, Knopke, Lane, Myers, Ott, Plante, Poston, Reuter, Saunders, Sayler, Scarborough, Shevin, Slade, Stolzenburg, Stone, Thomas, Trask, Weber, Weissenborn, Williams, Wilson and Young—

## Senate Resolution No. 630

### A RESOLUTION IN MEMORIAM HARRY JAMES KICLITER

WHEREAS, there is with us still the calm, cheerful and gracious manner which throughout the days ever marked the industrious, efficient, unostentatious and unselfish activities of our late colleague, Harry Kicliter, and

WHEREAS, the many great contributions he made to his county, to his state and especially to those with whom he moved in Legislative Halls has so ennobled him in our thoughts and enshrined him in our hearts that we would commemorate him for all time, NOW, THEREFORE,

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA:

That this Resolution be spread upon the pages of the Journal of the Florida Senate—

### IN MEMORIAM HARRY JAMES KICLITER

—who was born at Port Orange in Volusia County, Florida, on May 1, 1914. At an early age, together with his parents, the late Mr. and Mrs. John L. Kicliter, he moved to Fort Pierce and continued as a resident of that city until the time of his sudden demise there on December 19, 1969. His early education was in the public schools of Saint Lucie County and he was a graduate of Fort Pierce High School. His proficiency in the athletic field won for him the first four-year football scholarship awarded a student of his county at the University of Florida, where he was graduated with a BA degree in 1938. He was a member of the S.A.E. Fraternity and later served as a President of the Athletic Association of the University of Florida. His wife, who survives him, was Miss Ethel Peterson of Fort Pierce and to them was born one child, a son, Harry James Kicliter, Jr.

He was a veteran of World War II, serving as a Lieutenant in the 126th Infantry Regiment of the United States Army, and held the rank of First Lieutenant in the National Guard.

In business, he was successfully engaged as an oil and gas distributor and was owner and operator of the Kicliter Oil Company. He was a member of the First United Methodist Church of Fort Pierce, and had held membership in the Pelican Yacht Club, Indian Hills Golf and Country Club, Kiwanis Club, Elks Club, Loyal Order of Moose, and the American Legion.

He was an affiliate of the Democratic Party and early became active in local and state politics. From 1950 to 1958 he served two four-year terms as County Commissioner of Saint Lucie County. He saw service as a member of the Fort Pierce Port Authority, Saint Lucie County Sanitary District, Fort Pierce-Saint Lucie County Fire Board, St. Lucie County Recreation Board, Everglades Fire Control Board, and as a Director of the State Association of County Commissioners.

In 1958 he was elected to the Florida Senate, representing the Twelfth District, which then comprised the Counties of Indian River, Martin and Saint Lucie. He did not offer for re-election in 1962 and thereafter served the Senate as Reading Clerk during two succeeding Sessions. He was Administrative Aide to Senator Verle Pope during his tenure as President of the Florida Senate and was currently serving as an invaluable and irreplaceable Aide to the Senate Standing Committee on Transportation, Chairmaned by Senator Pope. He created an abiding friendship among those with whom he worked and has left a feeling of deep sadness in the loss of his presence.

BE IT FURTHER RESOLVED that a copy of this Resolution, duly attested, under the Seal of The Florida Senate, together with the condolences of this Body, be presented to the family of our late esteemed and beloved colleague, Senator Harry Kicliter.



By Senators Mathews, Askew, Bafalis, Barron, Barrow, Beaufort, Bell, Bishop, Boyd, Broxson, Chiles, Daniel, Deeb, de la Parte, Ducker, Fincher, Friday, Gong, Gunter, Haverfield, Henderson, Hollahan, Horne, Johnson, Karl, Knopke, Lane, Myers, Ott, Plante, Pope, Poston, Reuter, Saunders, Sayler, Scarborough, Shevin, Slade, Stolzenburg, Stone, Thomas, Trask, Weber, Weissenborn, Williams, Wilson and Young—

## Senate Concurrent Resolution No. 791

### A CONCURRENT RESOLUTION IN MEMORIAM JAMES TURNER BUTLER

WHEREAS, in the short span of years which is allotted man to appear upon the stage of life, no performer ever moved with greater sincerity of purpose, clarity of vision, or conservative and intellectual approach to Herculean feats performed in public service than was exhibited in the life and achievements of the late former Senator, J. Turner Butler, and

WHEREAS, his inherent force of personality, powers of persuasion, eminence of legal ability, political and parliamentary proficiency so elevated him to a stratosphere above the mundane and the ordinary that he has left upon the scenes of his private, public and political life an all-time unforgettable record of exemplary service and brilliant achievement a resume of which we would record to the consolation and gratification of his contemporaries and the high inspiration of posterity, NOW, THEREFORE,

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA, THE HOUSE OF REPRESENTATIVES CONCURRING:

That this Concurrent Resolution be spread upon the pages of the Journals of the Senate and the House of Representatives of the State of Florida—

### IN MEMORIAM JAMES TURNER BUTLER THIRTY-SEVENTH PRESIDENT OF THE FLORIDA SENATE

—who was born to one of Florida's pioneer families at Levyville in Levy County, on April 27, 1882, the son of Frank and Sophrina Abigail Turner Butler. His early education was in the public schools of his native county and at Georgia Military Academy. He received from John B. Stetson University, of which his grandfather, Captain Jim Turner was then a Trustee, an A. B. degree in 1902 and a LL. B. degree in 1904. That same year he entered upon the practice of law in Jacksonville, which city remained the scene of his long and distinguished career as attorney, civic leader and statesman.

Mrs. Butler, who survives him, was Miss Cecil Phillips of Danville, Kentucky. Their children, two daughters, christened Cecil Louise and Sophrina Elizabeth, are now Mrs. Jonathan W. Warner and Mrs. Ernest Williams, respectively, of Tuscaloosa, Alabama.

He was an affiliate of the Presbyterian Church and a member of the Jacksonville, Florida State, and American Bar Associations; the Masonic order, the Shrine, and Knights Templars.

In the service of the city of Jacksonville as Assistant City Attorney, he compiled the first bound volume of the city charter, the city ordinances and pertinent court decisions, giving early evidence of the thorough, invaluable and stupendous contributions he was to bring to public assignment.

In 1912 he was instrumental in creating the legislation that provided for the Municipal Docks and Terminals, now part of the responsibility of the Jacksonville Port Authority. Elected Judge of the Criminal Court of Record in 1913, he resigned after a brief period of service and accepted appointment as Judge of the Circuit Court of Duval County, where he again served briefly and returned to the practice of law. He served Duval as County Attorney from 1917 to 1923, and prepared for introduction in the 1917 session of the Legislature, the bill that provided for issuance of bonds for construction of the first bridge erected over the St. Johns River. As such attorney he was also successful in securing validation of the bond issue after a bitter fight. The Acosta Bridge was the result of this effort.

He served as attorney for the County Budget Commission and as general counsel for the Internal Improvement Commission, which later became the Florida Development Commission. In 1935 he secured passage of a City-County Consolidation measure in the form of a constitutional amendment applicable to other parts of Florida, with an accompanying act to effect Jacksonville-Duval County. The statewide amendment passed but the local consolidation failed at a special election because of the poor turn out of voters. In 1937 he wrote and secured the passage of the bill that provided for construction of the Main Street Bridge under a financing plan whereby half the costs came from Acosta Bridge toll revenue and the other half from the United States Bureau of Roads.

As attorney for the Florida State Improvement Commission, he wrote the original act providing for the Jacksonville Expressway System. Despite his phenomenal record of achievement in other areas, he is believed to have personally felt that his most beneficial service to Jacksonville was in helping to make the expressway system possible. As a Commission attorney he worked on validation and issuance of the 28 million dollar bond issue financing construction of the Mathews Bridge and Warren Bridge, as well as many other parts of the local expressway system. New York bond attorneys raised serious objections to the bonds but he was able to answer and obviate all the opposition. An instance of the conservatism that was his was demonstrated on two of the trips to New York for bond conferences in which he participated as a representative of the state. The governor and the remainder of the Florida party registered at the plush Hampshire House Hotel but he took a room at the Picadilly, with very reasonable rates, saying that the state was paying him so much per diem and that was all he intended to spend. He served as legal counsel in decisions relating to the system until the Jacksonville Expressway Authority came into being in 1955.

Although he was instrumental in the erection of most of the Jacksonville bridges spanning the St. Johns River, he was adamant in his refusal to permit one of them to be named in his honor.

The enabling legislation pertaining to the successful financing of the Tampa Bay Bridge, now called the Sunshine Skyway, was also written by him, and he represented the state in the validation and issuance of the \$21½ million Tampa Bay Bridge bonds.

His legal excellence and experience resulted in his being appointed a Trustee for the Florida East Coast Railway, in which capacity he served from 1958 until 1961 when the reorganization of the company was effected.

He was elected to the Senate in 1918 and served through the 1925 session; was again elected and served from 1931 through 1941. He never suffered defeat in an election and the periods in which he was out of office were of his own predilection.

In 1939, the twenty-seventh Biennial Session, the Senate membership accorded him the honor of the Presidency of the Body. At that time he held the record of the member longest in period of service in the Senate. As pointed out by him in his address on inauguration as President, since he first saw service in the Legislature in 1919 many changes for the betterment and progress of the state had been effected by constitutional amendment and other legislation. What he was too modest to delineate was the number of these changes he had instigated and pushed to fruition. As an example of one such, in the 1925 Session he wrote and introduced the constitutional amendment that permitted the state to contribute financially to the operation of public schools. At the local level he had brought about an extension of the Jacksonville city limits to include Murray Hill, and in 1931 secured enactment of the first law providing for creation of a Duval County Budget Commission. Also in that year, he obtained passage of a bill bringing South Jacksonville into the city limits of the parent city, Jacksonville. But then as now, more eloquently than words could express, his great record portrayed itself.

Among the innumerable legacies he left to the citizenry of Jacksonville-Duval County, two must ever stand with them in high-relief. One, his authorship of the constitutional amendment under which their consolidated government was created. (He was interred at Tuscaloosa, Alabama, on September 29, 1969, the anniversary of the new government.) Two, when their illustrious residents are counted, they can name only two who have been honored with the Florida Senate Presidency, Senator J. Turner Butler, and, currently serving, Senator John E. Mathews, Jr.

So great was the personality, abilities and achievements of this great former citizen and legislator, that upon the mention of his name instant interest, reminiscence and acclaim follows from a contemporary, whether he be legislator or attache, high ranking public official or plain fellow citizen—the greatest of all monuments he built to his memory.

BE IT FURTHER RESOLVED that a copy of this Concurrent Resolution duly attested by the President and the Secretary of the Senate and the Speaker and the Clerk of the House of Representatives under the Great Seal of the State of Florida be forwarded to Mrs. James Turner Butler, Mrs. Jonathan W. Warner and Mrs. Ernest Williams, widow and daughters respectively, of our esteemed former member together with the condolences of the members of these Legislative Bodies in Session assembled.

Center for Handicapped Children in Tampa, The Sheriff Boy's Ranch in North Florida, St. Joseph's Hospital and St. Mary Help of Christian School; and

WHEREAS, Louis Swed's charitable and progressive spirit in being always mindful of the needs of others, his depth of friendship and his accomplishments have enriched Hillsborough County and the State of Florida, NOW THEREFORE,

*Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:*

That on behalf of the people of Florida, this Legislature does hereby express its gratitude and appreciation for the unselfish service of Louis Swed to his fellowman, and its deepest sense of regret and loss at his death.

BE IT FURTHER RESOLVED, that a copy of this Resolution, signed by the President of the Senate and the Speaker of the House of Representatives, be sent to the family of the late Louis Swed.

Was taken up and read the second time in full. On motion by Senator de la Parte, SCR 794 was adopted and certified to the House. The vote was: Yeas—32 Nays—None

Mr. President	de la Parte	Knopke	Scarborough
Askew	Ducker	Lane	Shevin
Bafalis	Friday	Myers	Stone
Beaufort	Gong	Ott	Thomas
Bell	Gunter	Plante	Trask
Boyd	Henderson	Pope	Weissenborn
Chiles	Horne	Poston	Williams
Daniel	Johnson	Saunders	Wilson

Consideration of HCR 3928 was deferred, the bill retaining its place on the Calendar.

On motion by Senator Friday, the rules were waived and the Senate reverted to—

#### REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends the following pass: SB 696 with 1 amendment

The Committee on Natural Resources and Conservation recommends the following pass:

SB 383 with 2 amendments      SB 642 with 1 amendment  
SB 573 with 1 amendment

The Committee on Judiciary recommends the following pass:

SB 128 with 1 amendment	SB 558 with 2 amendments
SB 204	SB 559
SB 281 with 1 amendment	SB 602 with 3 amendments
SB 389 with 2 amendments	HB 153 with 1 amendment
SB 390 with 1 amendment	HB 1075
SB 463	HB 1562
SB 469	

The Committee on Ways and Means recommends the following pass: SB 535 with 1 amendment, SB 628

The Committee on Transportation recommends the following pass: Senate Bills 685 and 571, HB 938

The Committee on Insurance recommends the following pass: CS for HB 354, SB 221 with 1 amendment

The bills contained in the foregoing reports were placed on the Calendar.

The Committee on Transportation recommends the following pass: SB 484 with 2 amendments

The bill was referred to the Committee on Natural Resources and Conservation under the original reference.

The Committee on Judiciary recommends a Committee Substitute for the following: SB 375

The Committee on Ways and Means recommends a Committee Substitute for the following: SB 336

The bills with Committee Substitutes attached contained in the foregoing reports were placed on the Calendar.

The Committee on Transportation recommends a Committee Substitute for the following: SB 126

The bill with Committee Substitute attached was referred to the Committee on Judiciary under the original reference.

The Committee on Natural Resources and Conservation recommends the following pass:

SB 322 with 5 amendments      SB 522 with 1 amendment  
SB 481 with 4 amendments

The bills were referred to the Committee on Judiciary under the original reference.

The Committee on Transportation recommends the following pass: SB 572

The Committee on Judiciary recommends the following pass: SB 569 with 3 amendments

The bills contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Judiciary recommends the following pass: Senate Bills 553, 554

The bills were referred to the Committee on Insurance under the original reference.

The Committee on Transportation recommends the following pass: SB 118 with 1 amendment

The bill was referred to the Committee on Judiciary under the original reference.

The Committee on Transportation recommends the following not pass: Senate Bills 379, 117, 456, 220

The Committee on Natural Resources and Conservation recommends the following not pass: SB 507

The Committee on Judiciary recommends the following not pass: SB 486

The Committee on Rules and Calendar recommends the following not pass: SB 531

The Committee on Insurance recommends the following not pass: HB 576

The Committee on Ways and Means recommends the following not pass: SB 119

The bills contained in the foregoing reports were laid on the table.

#### BILLS REFERRED TO SUBCOMMITTEES

Taxation: HB 259, Senate Bills 803, 572, 706 and SJR 323 (15 days to report to the Committee on Ways and Means)

Personnel and Retirement: HB 470 (15 days to report to the Committee on Ways and Means)

**Appropriations:** Senate Bills 823, 824, 825, 826 and 828 (15 days to report to the Committee on Ways and Means)

**Financial Institutions and Consumer Protection:** Senate Bills 759, 760, 761, 767, 768, 771 and 772 (10 days to report to the Committee on Commerce and Licensed Businesses)

**Labor and Industrial Relations:** SB 807 (7 days to report to the Committee on Judiciary)

**Jurisprudence:** Senate Bills 808, 813 and 820 (7 days to report to the Committee on Judiciary)

**Law and Order:** Senate Bills 815 and 816 (7 days to report to the Committee on Judiciary)

**Local Government:** Senate Bills 737, 739 and 800 (10 days to report to the Committee on Governmental Organization)

**Appropriations:** SB 24 with CS, Senate Bills 65, 69, 84, 129, 134, 168, 237, 258, 274, 275, 287, 311, 319, 346, 353, 366, 377, 381, 382, 395, 451, 520, 529, 579, 586, 594, 659, 699, 702, 703, 764 and SB 442 with CS (5 additional days to report to the Committee on Ways and Means.)

**Taxation:** CS for HB's 178 and 241, HB 1408, Senate Bills 32, 62, 86, 97, 147, 189, 193, 199, 203, 218, 219, 242 with CS, 249, 318, 341, 392, 400 with CS, 425, 430, 468, 490, 517, 536, 537, 593, 624, 636, 673, 674, 675, 742 and 762 (5 additional days to report to the Committee on Ways and Means)

**Personnel and Retirement:** Senate Bills 59, 200, 238, 286, 422, 439, 444, 477, 488, 506, 626, 639, 641, 714, 719, 776 and 777 (5 additional days to report to the Committee on Ways and Means)

#### ENGROSSING REPORT

Your Engrossing Clerk to whom was referred—

SB 89 with 1 amendment	SB 403 with 1 amendment
SB 121 with 1 amendment	SB 476 with 1 amendment
SB 148 with 2 amendments	SB 479 with 3 amendments
SB 358 with 1 amendment	

—reports that the Senate amendments have been incorporated and the bills are returned herewith.

*EDWIN G. FRASER*  
Secretary of the Senate

The bills were certified to the House.

#### ENROLLING REPORT

Your Enrolling Clerk to whom was referred—

SB 306

—reports same has been enrolled, signed by the required Constitutional officers and presented to the Governor on April 23, 1970.

*EDWIN G. FRASER*  
Secretary of the Senate

By direction of the President, the Secretary read the following report—

Senator John E. Mathews  
President, The Florida Senate  
The Capitol

April 21, 1970

Dear Mr. President:

Prior to April 5, 1970, twenty-three (23) Executive Suspensions were pending before the Senate Select Committee on Executive Suspensions. Except for Sheriff Sim L. Lowman and Judge E. Summers Sheffey, each of the suspended officials was under indictment or had criminal charges pending against him. Under Rule 12.3 (b), consideration of such suspensions is deferred until the termination of the criminal proceedings.

Since April 5, 1970, there have been several additional suspensions and several reinstatements.

Committee hearings have been held on two of the suspension cases; the Committee has met on other occasions to determine

a course of action in the Manatee suspensions; the Chairman and individual Members of the Committee have spent many hours on research and have consulted with special counsel, the Attorney General and other officials. Since April 5, 1970, the Committee has met for over twenty five (25) hours during the first two weeks of the Session. It is estimated that it will be necessary for the Committee to meet for approximately 10 additional hours to complete the hearings already scheduled.

The Committee has experienced difficulty in securing meeting rooms and has been required to meet while other Committees were meeting. On at least two occasions, the meetings of this Committee have deprived a Standing Committee or Subcommittee of a quorum.

The hearing procedures adopted by the Senate and the Committee should be continued because they provide full and fair hearings for the suspended officials. However, if the Members of the Select Committee are to be permitted to participate in the regularly scheduled Senate work, and if the Governor and suspended officials are to be assured of adequate time for the presentation of the cases, the Committee hearings should be conducted at times other than during the regular sessions of the Legislature.

Therefore, the Select Committee on Executive Suspensions recommends:

A. The pending suspension cases in which the Committee has conducted one or more hearings or meetings shall proceed as scheduled and an appropriate report of the Committee shall be made to the Senate in the 1970 regular legislative Session.

B. Unless otherwise specifically directed by the Senate, the Senate Select Committee on Executive Suspensions shall conduct all hearings at times other than during any regular session of the Legislature.

C. Unless otherwise specifically directed by the Senate, the hearings on all public officials suspended during any regular Session shall be deferred to a time following the adjournment of any regular Session.

Respectfully submitted,

FREDERICK B. KARL, Chairman  
ROBERT M. HAVERFIELD  
WARREN HENDERSON  
KENNETH PLANTE

JERRY THOMAS  
J. H. WILLIAMS  
HAROLD S. WILSON

On motion by Senator Karl the foregoing report was adopted.

#### MOTIONS RELATING TO COMMITTEE REFERENCE

Senator Fincher announced that the Subcommittee on Labor and Industrial Relations will not meet as scheduled this day.

Senator Karl announced that the Subcommittee on Financial Institutions and Consumer Protection would not meet as scheduled on Tuesday, April 28.

On motion by Senator Pope, by two-thirds vote, SB 787 was withdrawn from the Committee on Transportation.

On motion by Senator Chiles, the rules were waived and the Select Committee on Claims was granted an additional 5 days for the consideration of Senate Bills 81, 165, 178, 201, 295, 399, 452, 453, 577, House Bills 352 and 3110.

On motion by Senator Horne, the rules were waived and the Committee on Judiciary was granted an additional 10 days for the consideration of Senate Bills 278, 438, 446, 447, 457, 482, 483, 538, 547, 551, 560, 561, 575, and HB 230.

On motions by Senator Myers, by two-thirds vote, SB 823 was withdrawn from the Committee on Insurance and SB 824 was withdrawn from the Committee on Agriculture.

On motion by Senator Horne, by two-thirds vote, SB 410 was withdrawn from the Committee on Judiciary and placed on the Calendar.

On motion by Senator Shevin, by two-thirds vote, CS for HB 701 was withdrawn from the Committee on Judiciary and placed on the Calendar.

On motion by Senator Weber, by two-thirds vote, SB 384 was withdrawn from the Committee on Transportation and from the Senate.

On motion by Senator Johnson, by two-thirds vote, SB 80 was withdrawn from the Committee on Transportation and from the Senate.

On motion by Senator Horne, the rules were waived and the Committee on Rules and Calendar was granted an additional 10 days for the consideration of SB 534.

On motions by Senator Askew, by two-thirds vote, Senate Joint Resolutions 706 and 323 were withdrawn from the Committee on Constitutional Amendments and Revision.

Pursuant to Rule 4.6, a point of order was called by Senator Chiles, and SB 393 was also referred to the Committee on Ways and Means.

On motion by Senator Williams, by two-thirds vote, HB 3866 was withdrawn from the Committee on Rules and Calendar and placed on the Local Calendar.

Unanimous consent was granted Senator Williams to take up out of order—

**HB 3866**—A bill to be entitled An act amending chapter 65-1905, Laws of Florida, 1965, being the "Marion County Hospital District"; amending section 13 of said chapter 65-1905, providing that bonds issued by the district shall have been approved by a majority of the votes cast in a bond election in accordance with section 12, article VII, State Constitution; election to be called by Board of Trustees of the district, notice and publication thereof in newspaper; amending section 14 of chapter 65-1905, providing that only electors of the district who are qualified under the Laws of Florida shall be permitted to vote at a bond election; amending section 15 of chapter 65-1905, providing insofar as practicable provisions of chapter 100, Florida Statutes shall govern; and providing for an effective date.

—which was read the second time by title.

On motion by Senator Williams, the rules were waived and HB 3866 was read the third time by title, passed and certified to the House. The vote was: Yeas—36 Nays—None

Mr. President	Friday	Lane	Shevin
Bafalis	Gong	Myers	Stolzenburg
Barrow	Gunter	Ott	Stone
Beaufort	Haverfield	Plante	Thomas
Bell	Hollahan	Pope	Trask
Boyd	Horne	Poston	Weber
Daniel	Johnson	Saunders	Weissenborn
Deeb	Karl	Sayler	Williams
Ducker	Knopke	Scarborough	Wilson

#### MESSAGES FROM THE GOVERNOR

The Governor advised that on April 22 he had transmitted to the Office of the Secretary of State Senate Bills 167 and 169, which he approved.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable John E. Mathews, Jr.* April 22, 1970  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has passed SB 166.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

The bill, contained in the above message, was ordered enrolled.

#### UNFINISHED BUSINESS

By permission, Senator Saunders withdrew SB 543 from the Senate.

**SB 244**—A bill to be entitled An act relating to state officers and employees; prohibiting the solicitation of funds by any state officer or employee from any person who has or seeks business relations with the department of transportation; providing an exception for charitable purposes; providing penalties; providing an effective date.

Was taken up with pending amendment offered by Senator Deeb.

The select committee composed of Senators Friday, Henderson and Horne reported as follows:

Re: Point of order raised by Senator Pope: Is the amendment by Senator Deeb to SB 244 germane to the bill?

Answer: The point of order is well taken. An amendment which regulates campaign contributions generally is not germane to a bill which regulates solicitations by officers and employees of the Department of Transportation from certain individuals.

Senate Rule 7.1 states, in part, "No proposition on a subject different from that under consideration shall be admitted under color of amendment." This language requires that amendments to a bill be germane to the subject of the bill being amended. (See generally Jefferson's Manual Section 794 et seq.)

The language of the Senate Rule quoted above is substantially the same as Rule XVI (7), Rules of the House of Representatives (U.S.) and as such a great body of precedent has developed. The authorities clearly indicate that a specific subject may not be amended by a provision general in nature, even when of the class of the specific subject (see Section 796, Jefferson's Manual). In the instant case, the bill deals with the specific subject of solicitations of funds by state officers and employees from persons who do business with the Department of Transportation, but the proposed amendment, general in nature, prohibits persons who are or would be regulated by an official or candidate for an elective office from making campaign contributions to said official or candidate.

The President ruled the point was well taken and the amendment was not germane to the bill.

Senators Sayler and Deeb offered the following amendment which was adopted on motion by Senator Sayler:

In Section 1, line 15, page 1, insert after "solicit" the following: or accept.

On motion by Senator Thomas, the rules were waived and SB 244 as amended was read the third time by title.

A motion by Senator Askew was adopted that the Senate reconsider the vote by which SB 244 as amended was placed on third reading. The vote was:

Yeas—22

Askew	Fincher	Johnson	Stone
Bafalis	Gong	Plante	Weissenborn
Boyd	Gunter	Reuter	Williams
Broxson	Haverfield	Scarborough	Wilson
Deeb	Henderson	Shevin	
Ducker	Hollahan	Stolzenburg	

Nays—14

Mr. President	Daniel	Pope	Thomas
Barrow	Friday	Poston	Trask
Beaufort	Knopke	Saunders	
Bell	Ott	Sayler	

Senator Horne presiding.

The question recurred on the motion by Senator Thomas that the rules be waived and SB 244 as amended be read the third time by title and the motion failed.

On motion by Senator Askew, the rules were waived and further consideration of SB 244 as amended was deferred, the bill retaining its place on the Calendar.

**SB 115**—A bill to be entitled An act relating to eminent domain proceedings; amending section 74.051(3), Florida Statutes, requiring clerks of the circuit courts to invest in

interest-earning accounts certain deposits into the court registries; providing an effective date.

—was taken up together with the following pending amendment offered by the Committee on Judiciary:

In Section 1, line 29, page 1, strike “to the petitioner” and insert the following: *pro rata from the date the order of taking becomes effective to the recipients thereof.*

Senator Trask offered the following substitute amendment which was adopted:

In Section 1, line 29, page 1, strike: “petitioner.” and insert the following: *secondary road fund of the said county.*

The President presiding.

The vote was:

Yeas—18

Mr. President	Gong	Lane	Weber
Barrow	Henderson	Pope	Weissenborn
Bell	Hollahan	Poston	Wilson
Deeb	Horne	Sayler	
Ducker	Johnson	Trask	

Nays—15

Askew	Chiles	Gunter	Shevin
Barron	de la Parte	Haverfield	Stolzenburg
Beaufort	Fincher	Knopke	Williams
Broxson	Friday	Plante	

Senator Ott offered and moved the following amendment:

In Section 1, line 24, page 1, strike “shall” and insert may

Senator Pope offered and moved the following substitute amendment:

In Section 1, line 24, page 1, after “The Clerk” strike “shall” and insert the following: *is hereby directed to*

Senator de la Parte offered the following amendment to the substitute amendment which was adopted:

In Section 1, line 24, page 1, strike: “is hereby directed to” and insert the following: *is hereby authorized to*

The substitute amendment as amended was adopted.

Senator Ott offered and moved the following amendment:

In Section 1, line 25, page 1, strike all after the word “deposits” to the end of the sentence and insert the following: *so as to earn the highest interest obtainable under the circumstances.*

Senator Friday offered the following amendment to the amendment which was adopted:

Following “circumstances” add: *in State or National financial institutions in Florida insured by the Federal government*

The amendment as amended was adopted.

The Committee on Transportation offered the following amendment which was moved by Senator Pope and failed:

In Section 1, line 25, page 1, after the words “banks or” insert the following: *in federal or state*

Senator Horne offered the following amendment which was adopted:

In title, on the third line, strike: “requiring” and insert authorizing

On motion by Senator Poston, the rules were waived and SB 115 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—40

Mr. President	de la Parte	Johnson	Sayler
Askew	Ducker	Karl	Scarborough
Bafalis	Fincher	Knopke	Shevin
Barrow	Friday	Lane	Stolzenburg
Beaufort	Gong	Myers	Stone
Boyd	Gunter	Ott	Thomas
Broxson	Haverfield	Plante	Trask
Chiles	Henderson	Pope	Weissenborn
Daniel	Hollahan	Poston	Williams
Deeb	Horne	Reuter	Wilson

Nays—1

Bell

The Senate resumed consideration of—

**SB 244—A** bill to be entitled An act relating to state officers and employees; prohibiting the solicitation of funds by any state officer or employee from any person who has or seeks business relations with the department of transportation; providing an exception for charitable purposes; providing penalties; providing an effective date.

Senator Askew offered the following amendment which was adopted.

In Section 1, line 15, page 1, strike: “or having the power of appointment relating thereto”

The vote was:

Yeas—21

Mr. President	Ducker	Johnson	Slade
Askew	Fincher	Karl	Stolzenburg
Barron	Friday	Plante	Williams
Bell	Gunter	Poston	
Boyd	Hollahan	Saunders	
Deeb	Horne	Shevin	

Nays—20

Bafalis	Daniel	Ott	Stone
Barrow	Haverfield	Pope	Thomas
Beaufort	Henderson	Reuter	Trask
Bishop	Knopke	Sayler	Weissenborn
Broxson	Lane	Scarborough	Wilson

Senator Horne offered the following amendment which was adopted:

In title, line 5, page 1, after the word “solicitation” insert: *or acceptance*

and on line 6 after “employee” insert: *with the department of transportation*

On motion by Senator Thomas, the rules were waived and SB 244 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—42

Mr. President	Ducker	Knopke	Shevin
Askew	Fincher	Lane	Slade
Bafalis	Friday	Myers	Stolzenburg
Barron	Gong	Ott	Stone
Barrow	Gunter	Plante	Thomas
Beaufort	Haverfield	Pope	Trask
Bell	Henderson	Poston	Weissenborn
Boyd	Hollahan	Reuter	Williams
Broxson	Horne	Saunders	Wilson
Daniel	Johnson	Sayler	
Deeb	Karl	Scarborough	

Nays—1

Bishop

On motion by Senator Friday, the rules were waived and time of adjournment was extended until 12:30 p.m.

## SECOND READING

Consideration of SB 60 was deferred, the bill retaining its place on the Calendar.

**SB 257**—A bill to be entitled An act relating to loitering or prowling; repealing sections 856.02 and 856.03, Florida Statutes, relating to vagrancy; amending chapter 856, Florida Statutes, by adding sections 856.021, 856.031, and 856.032, defining the criminal offense of loitering or prowling; providing for arrest without a warrant; prescribing penalties; providing an effective date.

Was taken up and read the second time by title.

The Committee on Judiciary offered the following amendment which was adopted on motion by Senator Shevin:

In Section 2, line 29, page 2, strike "would" and insert should

The Committee on Judiciary also offered the following amendment which was adopted on motion by Senator Shevin:

In Section 2, line 12, page 2, strike "Among the" and insert The

On motion by Senator Shevin, the rules were waived and SB 257 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—34

Mr. President	Gong	Myers	Shevin
Bafalis	Gunter	Ott	Slade
Barrow	Henderson	Plante	Stolzenburg
Beaufort	Hollahan	Pope	Stone
Bell	Horne	Poston	Thomas
Bishop	Johnson	Reuter	Weber
Deeb	Karl	Saunders	Williams
Ducker	Knopke	Saylor	
Fincher	Lane	Scarborough	

Nays—2

Weissenborn Wilson

**SB 327**—A bill to be entitled An act relating to stolen property; amending section 811.16, Florida Statutes, increasing penalty for handling stolen property to provide for both fine and imprisonment; amending chapter 811, Florida Statutes, by adding section 811.161, requiring persons dealing in junk and secondhand goods to keep records of purchases and sales; providing penalty; providing an effective date.

Was taken up and read the second time by title.

The Committee on Judiciary offered the following amendment which was adopted on motion by Senator Poston:

In Section 2, lines 3-6, page 2, strike: "and every person dealing in secondhand goods, wares, merchandise, or articles of any description other than furniture and household goods, whether as a pawnbroker or otherwise,"

Senator Poston offered the following amendment which was adopted:

In title, line 11, after "goods" insert the following: ,whether as a pawnbroker or otherwise,

On motion by Senator Weissenborn, the Senate reconsidered the vote by which the amendment by the Committee on Judiciary was adopted.

The question recurred and the amendment failed.

On motion by Senator Weissenborn, the Senate reconsidered the vote by which the amendment by Senator Poston was adopted.

The question recurred and the amendment failed.

Consideration of SB 327 was deferred, the bill retaining its place on the Calendar.

SB 36 was taken up, together with:

By the Committee on Judiciary—

**CS for SB 36**—A bill to be entitled An act relating to lienors' remedies against personal property; amending section 85.031(3),

Florida Statutes, to shorten time of sale of vehicle placed with garage for storage by law enforcement agency; to allow persons claiming a lien under section 713.58, Florida Statutes, to enforce the lien by sale without judicial proceedings; providing an effective date.

—which was read the first time by title and SB 36 was laid on the table.

On motions by Senator Fincher, the rules were waived and CS for SB 36 was read the second time by title, the third time by title, passed and certified to the House. The vote was: Yeas—34 Nays—None

Mr. President	de la Parte	Johnson	Stone
Barron	Fincher	Lane	Thomas
Barrow	Friday	Pope	Trask
Beaufort	Gong	Poston	Weber
Bell	Gunter	Saunders	Weissenborn
Bishop	Haverfield	Saylor	Williams
Chiles	Henderson	Shevin	Wilson
Daniel	Hollahan	Slade	
Deeb	Horne	Stolzenburg	

**SB 582**—A bill to be entitled An act relating to miscellaneous crimes, ambulance safety; amending subsection 877.07(3), Florida Statutes; providing qualifications for ambulance drivers and attendants; providing rule-making power in the division of health of the department of health and rehabilitative services; providing an effective date.

Was taken up and read the second time by title.

Senator Scarborough offered the following amendment which was adopted:

In Section 2, line 16, page 2, strike entire section and insert the following: Section 2. This act shall become effective January 1, 1971.

Senator Bishop offered the following amendment which was adopted:

In Section 3, line 19, page 1, strike "It" and insert the following: Except in counties the population of which did not exceed 25,000 persons as of the most recent Federal Decennial Census, it

On motion by Senator Stone, the rules were waived and SB 582 as amended was read the third time by title.

Senator Thomas offered the following amendment which was adopted by a two-thirds vote:

In Section 3, line 19, page 1, strike: following "except in counties" and insert the following: or voluntary nonprofit ambulance districts

SB 582 as amended failed to pass. The vote was:

Yeas—17

Bell	Fincher	Knopke	Shevin
Bishop	Gong	Lane	Stone
Daniel	Haverfield	Myers	
Deeb	Hollahan	Poston	
de la Parte	Karl	Scarborough	

Nays—24

Mr. President	Broxson	Johnson	Slade
Askew	Chiles	Ott	Thomas
Bafalis	Ducker	Plante	Trask
Barron	Friday	Pope	Weber
Barrow	Gunter	Saunders	Weissenborn
Boyd	Horne	Saylor	Williams



## CO-INTRODUCERS

By permission, Senator Weissenborn was recorded as a co-introducer of Senate Bills 570, 587, 588, 623, 627, 637, 679, 681, 690, 696, 699, 741 and SCR 604.

By permission, Senator Shevin was recorded as a co-introducer of Senate Bills 371, 580, Senate Joint Resolutions 292, 19 and 557.

By permission, Senator Gunter was recorded as a co-introducer of SB 305.

SB 301 was taken up, together with:

By the Committee on Natural Resources and Conservation—

**CS for SB 301**—A bill to be entitled An act relating to air and water pollution control; amending section 403.051 (5), Florida Statutes, changing the quorum requirement from four (4) members to three (3) members except for hearings and meetings required by Sections 403.051 (2) and 403.121, Florida Statutes; providing an effective date.

—which was read the first time by title and SB 301 was laid on the table.

On motion by Senator Myers, the rules were waived and CS for SB 301 was read the second time by title.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 12:33 p.m. to reconvene at 8:30 a.m., April 24, 1970.